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10/705,844	11/13/2003	Toshiyuki Mitsubori	011350-325	4885
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ART UNIT 2625		PAPER NUMBER		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ADIPFDD@bipc.com

Office Action Summary

Application No.

10/705,844

Applicant(s)

MITSUBORI, TOSHIYUKI

Examiner

LENNIN R. RODRIGUEZ

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 February 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-5,7,8,10-12,14 and 16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-5,7,8,10-12,14 and 16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 12/27/2007.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed on 12/27/2007 have been fully considered but they are not persuasive. Applicant's argument regarding that "Yuichi does not teach or suggest such a control code being used for test printing" has been fully considered, in response "Yuichi '012 discloses all the subject matter as described above except wherein the printing job includes test print image data and a command; and

a printing unit for printing the test print image data included in said printing job according to the modified default setup.

However, Shima '498 teaches wherein the printing job includes test print image data and a command (column 14, lines 5-18, where the print job includes test print information); and

a printing unit (3 in Fig. 1) for printing the test print image data included in said printing job according to the modified default setup (column 14, lines 5-18, where the test page is being printed).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made wherein the printing job includes test print image data and a command; and a printing unit for printing the test print image data included in said printing job according to the modified default setup as taught by Shima '498 in the system of Yuichi '012. With this, the system will have a way to proof the functionalities

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of the printing device, thus preventing errors when using the printing device to print some jobs or documents”.

2. Objections to the specification have been withdrawn.
3. Rejection made under 35 U.S.C. 101 with respect to claims 12, 13 and 16 have been withdrawn in view of the submitted amendment.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 4-5, 8, 11-12 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ota Yuichi (JP 06-247012, see machine translation for all the citations) in view of Shima et al. (US 6,104,498).

(1) regarding claims 1, 8 and 12:

Yuichi '012 discloses a printing device comprising:

a printing job receiving unit for receiving a printing job (paragraph [0006], line 2, interface data reception);

a command analyzing unit for analyzing the command included in said printing job (paragraph [0006], lines 7-9);

a default setup modifying unit for modifying a default setup to a modified default setup based on a default setup modifying command when said command is said default

setup modifying command (paragraph [0007], where the default setup is being setting up according to the command to change it); and

Yuichi '012 discloses all the subject matter as described above except wherein the printing job includes test print image data and a command; and

a printing unit for printing the test print image data included in said printing job according to the modified default setup.

However, Shima '498 teaches wherein the printing job includes test print image data and a command (column 14, lines 5-18, where the print job includes test print information); and

a printing unit (3 in Fig. 1) for printing the test print image data included in said printing job according to the modified default setup (column 14, lines 5-18, where the test page is being printed).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made wherein the printing job includes test print image data and a command; and a printing unit for printing the test print image data included in said printing job according to the modified default setup as taught by Shima '498 in the system of Yuichi '012. With this, the system will have a way to proof the functionalities of the printing device, thus preventing errors when using the printing device to print some jobs or documents.

(2) regarding claims 4, 11 and 16:

Yuichi '012 further discloses a printing job transmission device (paragraph [0002], lines 1-5, computer or workstation) comprising:

a default setup inputting unit for inputting a default setup for a printing device (paragraph [0013], where the data its being inputted from the external instrument which is a computer or workstation);

a printing job preparation unit for preparing a printing job including a default setup modifying command for modifying the default setup of said printing device to a modified default setup entered by said default setup input unit (paragraph [0012], where inside the external instrument is where the job preparation is performed); and

a printing job transmission unit for transmitting said printing job to said printing device (paragraph [0009], lines 1-4).

Yuichi '012 discloses all the subject matter as described above except preparing a print job including a test print image data.

However, Shima '498 teaches preparing a print job including a test print image data (column 14, lines 5-18, where the print job includes test print information).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to prepare a print job including a test print image data as taught by Shima '498 in the system of Yuichi '012. With this, the system will have a way to proof the functionalities of the printing device, thus preventing errors when using the printing device to print some jobs or documents.

(3) regarding claim 5:

Yuichi '012 further discloses a printing system comprising a printing device and a printing job transmission device, which are connected to be able to communicate with each other (paragraph [0002], lines 1-5);

wherein, said printing job transmission device comprising:

a default setup inputting unit for inputting a default setup for said printing device (paragraph [0013], where the data its being inputted from the external instrument which is a computer or workstation);

a printing job preparation unit for preparing a printing job including a default setup modifying command for modifying the default setup of said printing device to a modified default setup entered by said default setup input unit (paragraph [0012], where inside the external instrument is where the job preparation is performed); and

a printing job transmission unit for transmitting said printing job to said printing device (paragraph [0009], lines 1-4); and

said printing device comprising:

a printing job receiving unit for receiving a printing job (paragraph [0006], line 2, interface data reception);

a command analyzing unit for analyzing the command included in said printing job (paragraph [0006], lines 7-9);

a default setup modifying unit for modifying a default setup based to the modified default setup on a default setup modifying command when said command is said default setup modifying command (paragraph [0007], where the default setup is being setting up according to the command to change it); and

Yuichi '012 discloses all the subject matter as described above except preparing a print job including a test print image data;

a printing job including the test print image data and a command; and

a printing unit for printing the test print image data included in said printing job according to the modified default setup.

However, Shima '498 teaches preparing a print job including a test print image data (column 14, lines 5-18, where the print job includes test print information);

wherein the printing job includes test print image data and a command (column 14, lines 5-18, where the print job includes test print information); and

a printing unit (3 in Fig. 1) for printing the test print image data included in said printing job according to the modified default setup (column 14, lines 5-18, where the test page is being printed).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to prepare a print job including a test print image data; a printing job including the test print image data and a command; and a printing unit for printing the test print image data included in said printing job according to the modified default setup as taught by Shima '498 in the system of Yuichi '012. With this, the system will have a way to proof the functionalities of the printing device, thus preventing errors when using the printing device to print some jobs or documents.

(4) regarding claims 2, 6, 9 and 13:

Yuichi '012 further discloses wherein said printing unit prints said data in accordance with the default setup modified by said default setup modifying unit (paragraph [0007], lines 5-7).

6. Claims 3, 7, 10 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ota Yuichi (JP 06-247012) and Shima et al. (US 6,104,498) in view of Iguchi (US Patent 6,963,414).

Yuichi '012 and Shima '498 disclose all the subject matter as described above except wherein said printing unit prints the contents of the default setup modified by said default setup modifying unit.

However, Iguchi '414 teaches wherein said printing unit prints the contents of the default setup modified by said default setup modifying unit (column 1, lines 12-26, where the status print is printing a list of various settings).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made that said printing unit prints the contents of the default setup modified by said default setup modifying unit as taught by Iguchi '414, in the system of Yuichi '012 and Shima '498. This is used by a user, developer or person in charge of maintenance to check the set items of the printing apparatus and to perform test printing (column 1, lines 12-26).

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LENNIN R. RODRIGUEZ whose telephone number is (571)270-1678. The examiner can normally be reached on Monday - Thursday 7:30am - 6:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, King Poon can be reached on (571) 272-7440. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/King Y. Poon/
Supervisory Patent Examiner, Art Unit 2625

Lennin Rodriguez
4/9/08